

Appl. No.: 10/802,276

Remarks:

Claims 1-20 are pending in this application. In the Office Action dated October 18, 2004, the Examiner rejected claims 1-5, 13-17, 19, and 20 under 35 U.S.C. § 102(b) as allegedly being anticipated by Smits (U.S. Pat. No. 2,779,898), the Examiner rejected claims 1-20 under 35 U.S.C. § 102(b) as allegedly being anticipated by Mottier et al. (U.S. Pat. No. 5,630,384), the Examiner rejected claims 6-12 and 18 under 35 U.S.C. § 103(a) as allegedly being obvious in view of Smits, and the Examiner rejected claims 6-12 and 18 under 35 U.S.C. § 103(a) as allegedly being obvious in view of Van Dyke (U.S. Pat. No. 3,581,724). Applicant respectfully requests reconsideration for the reasons set forth below.

Applicant's independent claim 1, as amended, recites a capacitive discharge ignition system comprising an energy storage device that is adapted to store energy from a second capacitive discharge device, which is neither taught nor suggested by Smits or Mottier et al., alone or in combination. Mottier et al. does not disclose or suggest a second capacitive discharge device, much less an energy storage device that is adapted to store energy from a second capacitive discharge device. Although Smits discloses two capacitors, 16 and 20, and a battery 13, the battery of Smits is not adapted to store energy from either of the two capacitors of Smits. Therefore, Applicant's claim 1 and its dependent claims are allowable over the art of record. Applicant has broadened claim 1 by deleting the phrase "and to the magneto" because the energy storage device need not be connected to the magneto.

Applicant's independent claim 13 recites a capacitive discharge ignition system comprising a control system for controlling storage and release of energy from an energy storage device, which is neither taught nor suggested by Smits or Mottier et al., alone or in combination.

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Although Smits discloses a battery 13 and Mottier et al. discloses a battery 83, neither Smits nor Mottier et al. teaches or suggests storing energy from the capacitive discharge ignition system into the battery; rather, in Smits and Mottier et al., the battery is used only for discharging energy. Therefore, Applicant's independent claim 13 and its dependent claims are allowable over the art of record.

Likewise, Applicant's independent claim 19 recites a method of combustion re-initiation in an engine comprising delivering at least a portion of energy from the engine to an energy storage device associated with a capacitive discharge device, which is neither taught nor suggested by Smits or Mottier et al., alone or in combination. Therefore, claim 19 and its dependent claim 20 are allowable over the art of record.

The Examiner's rejections of dependent claims 6-12 and 18 are moot in view of the allowability of independent claims 1 and 13 as discussed above.

Applicant has broadened claim 6 by inserting the "at least one of" phrase.

Applicant has amended claims 7 and 17 to correct inadvertent typographical errors.

The foregoing amendments involve no new matter.

In view of the foregoing, Applicant respectfully submits that claims 1-20 are in condition for allowance, and such is earnestly requested. If the Examiner believes that a telephone conference would advance the prosecution of this application, the Examiner is respectfully requested to contact the undersigned attorney.

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It is believed that no fee is required for this submission. However, the Commissioner is authorized to charge any deficiency in fees for this submission or credit any overpayment to Deposit Account No. 03-3483.

Respectfully submitted,

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